

REMARKS

The Office Action dated April 13, 2007, has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claims 6 and 13 are amended as to matters of form. No new matter is added or amendments made that require further consideration or search. Claims 6-17 are pending in the application and submitted for consideration.

Claims 1 and 13 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, it was asserted in the office action that “the sealed portion” in the last line of each claim is unclear because it lacks antecedent basis. Applicants assume that the Office Action meant to reject claims 6 and 12 and therefore will treat the rejection accordingly.

Claims 6 and 12 are amended to change the word “sealed” to “fixed.” Applicants submit that claims 6 and 12 as amended comply with the requirements of 35 U.S.C. § 112 and request that the rejection be withdrawn.

Claims 6-17 were rejected under 35 USC § 102(a) as being anticipated by DE 101 02 818 A1 to Von Falkenhausen (U.S. published patent application No. 2004-0050749). Applicants respectfully traverse the rejection and submit that claims 6-17 recite subject matter not disclosed by Von Falkenhausen.

Claim 6, upon which claims 7-11 depend, defines a packaging apparatus. The packaging includes a tray and a sheet. The tray includes a series of spaced apart sections, each being generally rectangular in shape and having a recessed

compartment and an upper surface. The sheet is fixed in part to the upper surface of the tray and includes a plurality of tab portions that are not fixed to the tray thereby creating a tab. Each tab portion corresponds to one of the spaced apart sections and includes first and second ends. Each tab portion is graduated in width from the first end to the second end. The first end of each tab portion is positioned in a corner of the corresponding spaced apart section. The tab portion has a length parallel to a length of the corresponding spaced apart section. The second end is adjacent to the fixed portion of the sheet.

Claim 12, upon which claims 13-17 depend, also defines a packaging apparatus. The packaging includes a tray and a sheet. The tray includes a series of spaced apart sections. Each spaced apart section is generally rectangular in shape and has a recessed compartment and an upper surface. The sheet is fixed in part to the upper surface of the tray and has a plurality of tab portions that are not fixed to the tray thereby creating a tab. Each tab portion corresponds to one of the spaced apart sections and includes first and second ends. Each said tab portion is graduated in width from the first end to the second end. Each first end of each tab portion is positioned in a corner of the corresponding spaced apart section. Each second end has a width measured in a direction orthogonal to the length of the tab portion that is greater than or equal to one half a width of the corresponding spaced apart section.

On page 3 of the Office Action, an annotated copy of Fig. 1 was included to allegedly show the parts of the prior art blister pack that correspond to the elements of

each of the claims of the present application. As clearly seen from the annotated figure, the “spaced apart section” and the “corner of the spaced apart section” are identified along with the “1st end” and “2nd end” of the tabbed sections. The portion identified as the “1st end” is shown, however, as being outside the circle identifying the “corner of the spaced part section.” Therefore, as admitted in the Office Action, Von Falkenhausen fails to disclose that “each of said tabbed portion being graduated in width from the first end to the second end, said first end being positioned in a corner of the corresponding spaced apart section” as claimed in claims 6 and 12, upon which claims 7-12 and 14-17 respectively depend. Thus, the rejection is improper because Von Falkenhausen fails to disclose each and every element of claims 6-17. Accordingly, the Applicants request that the rejection be withdrawn, claims 6-17 be allowed, and this application passed to issue.

None of the cited prior art discloses or suggests the novel configuration claims in claims 6-17 of the present invention. Accordingly, Applicants request that the rejections be withdrawn and claims 6-17 be allowed.

In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and requests that it be allowed and this application passed to issue.

In the event that this paper is not timely filled, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

It is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to discuss this response in order to expedite the disposition of this application.

Respectfully submitted,

7/13/07
Date

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